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July 30, 2025

VIA ECF

Honorable Jennifer L. Rochon
United States District Court
Southern District of New York
500 Pearl Street, Room 1920
New York, New York 10007

**Re: *Morgan Art Foundation Ltd. v. McKenzie*, 18-CV-04438-JLR-BCM
Letter-Motion Regarding Application to Clerk's Office for Writ of Execution**

Dear Judge Rochon:

On behalf of Crossclaim-Defendant Nathaniel S. Putnam, Personal Representative of the Estate of Robert Indiana (the "Estate"), and pursuant to the Court's Local and Individual Rules, I write to move the Court to 1) order the Clerk's Office to issue the Writ of Execution consistent with the Court's Order dated July 16, 2025 (ECF No. 573) and 2) order the Clerk's Office to amend the Judgment to include the dollar amount of \$1,667,704.88 with the Judgment dated September 8, 2023 (ECF No. 525).

On July 16, 2025, the Court granted the Estate's motion for a writ of execution, which was in the amount of \$1,809,557.57 as of April 7, 2025. *See* ECF No. 573, at 3. This amount was comprised of the following: Monetary Award of \$1,384,607.00, arbitration costs of \$283,097.88, and post-judgment interest of \$141,852.69 (as of April 7, 2025). *See* ECF No. 573, at 3-4. The Court ordered:

For the foregoing reasons, the Motion is GRANTED. The Estate shall submit a revised request to the Clerk of the Court for a writ of execution that contains McKenzie's last known address, *after which the Clerk of the Court should promptly process the request.*

ECF No. 573, at 4 (emphasis added).

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On July 17, 2025, the Estate sent a revised writ of execution (with McKenzie's last known address) in the amount of \$1,834,430.84, which included post-judgment interest through July 17, 2025.

On July 30, 2025, the Clerk's Office refused to issue the writ of execution because the Judgment (ECF No. 525) (which was entered by the Clerk's Office on September 8, 2023) did not include a dollar amount, even though the Court's previous orders clearly referenced the dollar amounts to be included in the Judgment) *see* Order Confirming Final Arbitration Award and Entering Final Order and Judgment (ECF No. 521), at 8-9 (referring to the Monetary Award of \$1,384,607.00 and arbitration expenses of \$283,097.88 for a total dollar amount of \$1,667,704.88).

The Clerk's Office stated that the Estate would need to file a motion requesting that the Court amend its Judgment to state a specific dollar amount for the Writ of Execution to which the Estate is entitled.

Accordingly, the Estate hereby moves for the Court to order that 1) the Judgment dated September 8, 2023 (ECF No. 525) be amended to include the dollar amount of \$1,667,704.88 (as of September 8, 2023) and 2) the Court order the Clerk's Office to issue the writ of execution consistent with its Order dated July 16, 2025 (ECF No. 573).

Sincerely,

/s/ Alfred J.F. Morrow III
Alfred Morrow